

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OUR WICKED LADY, LLC,  
(d/b/a “Our Wicked Lady”) *et al.*,

Plaintiffs,

v.

ANDREW M. CUOMO, in his official capacity as  
Governor of the State of New York, *et al.*,

Defendants.

No. 21-cv-165 (DLC)

**NOTICE OF MOTION TO  
DISMISS**

PLEASE TAKE NOTICE THAT, upon the accompanying memorandum of law and all prior pleadings and proceedings herein, Defendants Andrew M. Cuomo, sued in his individual capacity and in his official capacity as Governor of the State of New York, and the State of New York, by their attorney, Letitia James, Attorney General of the State of New York, will move this Court, at such date and time as the Court may set, before the Honorable Denise L. Cote, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an order dismissing the Complaint, in its entirety and with prejudice, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and granting such other and further relief as the Court deems just and proper.

Dated: New York, New York  
April 30, 2021

LETTIA JAMES  
Attorney General  
State of New York

By: /s/ Matthew L. Conrad  
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